

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**JAMES ROBERT WEST, JR.**

**Plaintiff,**

**CAPTAIN SCONYERS, ET AL.**

**Defendants.**

$$\begin{array}{c} ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \end{array}$$

**CASE NO. 2:08-CV-82-MEF**

**ANSWER OF DEFENDANTS**

COMES NOW Defendants Kenneth Sconyers, Shawn Logan, Gerald Wright, Matthew Campbell, Joel Tew, Larry Peavey and Dexter Baldwin, by and through the undersigned counsel, and for their Answer to the above-styled action, state as follows:

Defendants deny each and every material allegation made in the Complaint, and demand strict proof thereof.

Defendants deny that they violated any of the Plaintiff's constitutional rights.

Defendants deny that they violated the Plaintiff's due process rights.

Defendants deny that they caused or allowed to continue any unconstitutional condition of the Plaintiff's confinement.

## DEFENSES AND AFFIRMATIVE DEFENSES

The Defendants deny that they violated the Plaintiff's constitutional rights.

The Defendants deny each and every material allegation not specifically admitted herein and demand strict proof thereof.

The Plaintiff has failed to state a claim upon which relief may be granted.

The Defendants are immune from suit under the Eleventh Amendment to the United States Constitution.

The Defendants are immune from suit due to qualified immunity.

Respectfully submitted,

TROY KING  
Attorney General

/s/Benjamin H. Albritton  
Benjamin H. Albritton (ASB-0993-R67B)  
Assistant Attorney General

ADDRESS OF COUNSEL:

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11 South Union Street  
Montgomery, AL 36130  
(334) 242-7555  
(334) 242-2433 - fax

**CERTIFICATE OF SERVICE**

I hereby certify that I have, this the 23<sup>rd</sup> day of April, 2008, served a copy of the foregoing upon the Plaintiff by placing same in the United States Mail, postage prepaid and properly addressed as follows:

James West  
Easterling Correctional Facility  
200 Wallace Drive  
Clio, AL 36017

/s/Benjamin H. Albritton  
Benjamin H. Albritton  
Assistant Attorney General